

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE OPTICAL DISK DRIVE PRODUCTS  
ANTITRUST LITIGATION

MDL No. 2143

CASE NO. 3:13-cv-4991-RS

This document relates to:

ACER INC.; ACER AMERICA  
CORPORATION; GATEWAY, INC.; AND  
GATEWAY U.S. RETAIL, INC., F/K/A  
EMACHINES, INC.

Plaintiffs,

v.

LITE-ON IT CORPORATION., et al.

Defendants.

**JOINT STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING DEFENDANTS'  
RESPONSES TO COMPLAINT**

WHEREAS, Acer Inc., Acer America Corporation, Gateway, Inc., and Gateway U.S. Retail, Inc. f/k/a EMachines, Inc. ("Acer") filed a complaint on October 25, 2013 ("Complaint");

WHEREAS, on January 3, 2014, this Court entered the Joint Stipulation and Order Regarding Extension of Time to Respond to Complaint and Waiver of Service as to certain Defendants (Dkt. 16), and a Stipulation and Order Regarding Extension of Time to Respond to Complaint and Waiver of Service as to certain other Defendants (Dkt. 17), both of which set a deadline of March 26, 2014 for Defendants to respond to the Complaint or, in the alternative, that if Acer amended its Complaint ("Amended Complaint"), Defendants shall have until the later of 60 days from the date of any amendment or March 26, 2014 to respond;

WHEREAS, Acer intends to file an Amended Complaint in the next 30 days;

WHEREAS, the Parties agree that Defendants need not respond to the Complaint given Acer's intention to file an Amended Complaint, and further agree that Defendants should have 60 days from the date of amendment to respond to the Amended Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned counsel for the parties, that: (i) Defendants need not respond to the Complaint; and (ii) Defendants shall have 60 days from the date of amendment to respond to the Amended Complaint.

IT IS SO STIPULATED.

DATED: March 14, 2014

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CORP.; and TOSHIBA AMERICA INFORMATION  
SYSTEMS, INC.*

1 DATED: March 14, 2014

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13 *PHILIPS N.V.; PHILIPS & LITE-ON DIGITAL*  
14 *SOLUTIONS CORP.; and PHILIPS & LITE-ON*  
15 *DIGITAL SOLUTIONS USA, INC.*

16 DATED: March 14, 2014

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26 *SAMSUNG ELECTRONICS AMERICA, INC.*

27 DATED: March 14, 2014

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*PIONEER*  
*NORTH AMERICA, INC.*

1 DATED: March 14, 2014

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10 DATED: March 14, 2014

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17 Dated: March 14, 2014

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*RETAIL, INC., F/K/A EMACHINES, INC.*

Pursuant to Civil Local Rule 5-1(i)(3), the filer attests that concurrence in the filing of this document has been obtained from the stipulating parties.

\* \* \*

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: 3/18/14

  
HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT COURT JUDGE

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